



NIRB File No. 09MN003
INAC File No. 5510-5-31-2

October 15, 2010

Margaux Brisco
Indian and Northern Affairs Canada
Nunavut Regional Office
P.O. Box 100
Iqaluit, NU X0A 0H0

Sent via email: margaux.brisco@inac-ainc.gc.ca

Re: Participant Funding and the next steps in the NIRB's review of AREVA Resources Canada Inc's "Kiggavik" project

Dear Margaux Brisco:

Thank you for your letter to the Nunavut Impact Review Board (NIRB or Board) dated October 15, 2010 (enclosed), in which you provided an update regarding the progress made towards finalizing participant funding contribution agreements for the NIRB's review of AREVA Resources Canada's Inc.'s "Kiggavik" project proposal. It is the Board's understanding that, despite repeated requests by Indian and Northern Affairs Canada (INAC), several parties have yet to supply your department with the information required to finalize their respective contribution agreements. Most recently, INAC has written to these parties requesting that the required information be submitted by October 25, 2010, to avoid further unwarranted delay to the NIRB's review process.

Previously on September 10, 2010 the NIRB expressed its concern for the significant passage of time since the announcement of participant funding awards, and further urged those interveners to supply the information required by INAC in a timely fashion in order to finalize their respective contribution agreements. It is incumbent upon the NIRB to ensure its reviews are conducted in such a way as to promote effective and meaningful public participation, as well as to enable the efficient and timely review of proposed development projects. While the Board believes it has been reasonable to delay the review process to permit the finalization of contribution agreements, it cannot justify permitting an indefinite delay to occur.

By copy of this letter, the NIRB is notifying parties that the *Revised Draft* Scope of the Kiggavik project proposal and the *Draft* Environmental Impact Statement (EIS) Guidelines for the project will be distributed with a request for comments on **November 15, 2010**. This will provide parties entering into contribution agreements with sufficient time to submit any outstanding

information to INAC by October 25, 2010 as requested, with an additional three weeks provided to permit INAC to process the information, finalize contribution agreements and make funds accessible for use. Please note that, rather than providing 60 days for the provision of public comment on these documents as previously committed, the NIRB intends to provide all parties with 70 days to account for the holiday season.

Once public comments have been received by the NIRB on the *Revised Draft* Scope and the *Draft* EIS Guidelines, the scope will be finalized and the guidelines revised into a second draft. A second opportunity for the provision of public comments on the *Draft* EIS Guidelines will be provided, followed by a Guidelines Development Workshop in Baker Lake in early to mid-March. Following the workshop, the NIRB will finalize the Guidelines and issue them to the Proponent for the preparation of a *Draft* EIS submission. For further details on the anticipated timelines for the review of the Kiggavik project please see the attached Appendix A.

The NIRB appreciates the efforts of INAC and all parties to ensure that the public review of the proposed Kiggavik project continues to be as comprehensive and efficient as possible. If you have any questions or require further clarification related to the review process, please contact Sophia Granchinho, Technical Advisor, at (867) 983-4607 or sgranchinho@nirb.ca.

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Ryan Barry
Director, Technical Services

cc: Hamlet of Baker Lake
Baker Lake HTO
Nunavummiut Makitagunarningit
NIRB Kiggavik Distribution List

Attached: Appendix A: Anticipated Timeline for the NIRB's Review of the Kiggavik Project

Enclosed: INAC Letter to NIRB regarding Second Participant Funding Update (October 15, 2010)

APPENDIX A

Anticipated Timeline for the NIRB's Review of the Kiggavik Project

Note: Timelines may change based on project-specific circumstances and subject to the NIRB's discretion.

Phase 1: Scoping and Guideline Development

August 10, 2010	Receipt of Minister's decision regarding Participant Funding allocations
November 15, 2010	<i>Revised Draft Scope</i> and <i>Draft EIS Guidelines</i> released for public comment
January 24, 2011	Comments received from parties on <i>Revised Draft Scope</i> and <i>Draft EIS Guidelines</i>
February 8, 2011	Final Scope released by the NIRB, and <i>Revised EIS Guidelines</i> released for comment
February 23, 2011	Comments received from parties on <i>Revised EIS Guidelines</i>
March, 2011	EIS Guidelines development workshop held in Baker Lake
March, 2011	EIS Guidelines issued to Proponent

The Proponent will develop a *Draft EIS* submission with the issued EIS Guidelines based on its own timetable, making this section of the review completely Proponent-driven. The NIRB does not anticipate receiving a *Draft EIS* submission from the Proponent this fiscal year (i.e. a submission would be anticipated following March 31, 2011).

Phase 2: Draft EIS, Technical Meeting and Pre-Hearing Conference

Day 1	<i>Draft EIS</i> submission received by the NIRB; NIRB conformity review of submission with EIS Guidelines
Day 15	Conformity decision issued by the NIRB <i>Draft EIS</i> accepted by the NIRB Parties given 30 days to submit Information Requests (IRs)
Day 30	Schedule for community information sessions announced
Day 45	Deadline for parties to submit IRs to the NIRB
Day 48	The NIRB forwards approved IRs to Proponent
The time required for submission of an adequate IR response is primarily Proponent-driven. Under some circumstances, the NIRB may exercise its discretion and establish an acceptable timeline for the Proponent's response.	

Day 49	Proponent submits IR response package Technical review of <i>Draft</i> EIS Tentative dates for Technical Meeting and Preliminary Hearing Conference (PHC) announced
Day 109	The NIRB receives technical review reports from parties
Day 119	Proponent submits response to technical review reports
Day 124	Technical meeting is held
Day 129	PHC is held
Day 159	Board issues PHC decision on administrative issues and direction for submission of <i>Final</i> EIS

The Proponent will develop a *Final* EIS with the issued PHC compliance report based on its own timetable, making this section of the review Proponent-driven. The NIRB's PHC compliance review may result in a negative decision, where extensive revisions to the submission and a second compliance review are required.

Phase 3: Final EIS and Final Hearing

Day 1	Final EIS submission received PHC compliance review begins Tentative date(s) and location(s) for Final Hearing announced
Day 15	The NIRB issues PHC compliance determination Parties receive <i>Final</i> EIS and technical review begins
Day 75	The NIRB receives final written submissions from parties
Day 90	Final Hearing is held
Day 125	The NIRB's Final Hearing Report submitted to the Minister